

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SABRE ENERGY CORPORATION,

Plaintiff,

v.

**GULFPORT ENERGY
CORPORATION, et al.,**

Defendants.

Case No. 2:19-cv-5559

Judge Graham

Magistrate Judge Deavers

ORDER

This matter is before the Court for *sua sponte* reconsideration of its September 22, 2022 Opinion and Order, Doc. 62, pursuant to Federal Rule of Civil Procedure 54(b). The parties have since filed cross-motions for summary judgment which provide additional facts and present additional legal arguments. This record and the additional legal arguments cast doubt on the Court's conclusions expressed in its September 22, 2022 Opinion and Order. Therefore, the Court **RESCINDS** that Opinion and Order, Doc. 62. As the same arguments presented in the motions for judgment on the pleadings are also present in the motions for summary judgment, the motions for judgment on the pleadings are moot.

The Court will hold oral argument on the motions for summary judgment on June 26, 2023 at 1:00PM in Courtroom 148.

IT IS SO ORDERED.

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: June 7, 2023